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FOR IMMEDIATE RELEASE:

EVANSVILLE MAN SENTENCED FOR USING FALSE ID TO ACQUIRE FIREARM

PRESS RELEASE

Susan W. Brooks, United States Attorney for the Southern District of Indiana, announced that JAMES D. DEVAULT, 22, of Evansville, Indiana, was sentenced to 27 months imprisonment late Friday by U.S. District Judge Richard L. Young following his guilty plea to the offenses of Misrepresentation of Identification in Connection with the Acquisition of a Firearm and Receiving a Firearm While Under Indictment or Information for a Felony. This case was the result of an investigation by the Bureau of Alcohol Tobacco Firearms and Explosives and the Evansville Police Department.

DEVAULT pleaded guilty to the two charges on August 16, 2004. According to facts presented in court during the guilty plea hearing, on November 3, 2002, DEVAULT was

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arrested for misdemeanor disorderly conduct and carrying a handgun without a permit after a disturbance outside of a night club in Evansville. The handgun in his possession that night was traced and found to have been purchased on October 11, 2002, by someone who identified himself as Gregory P. Sackers at Casey's Pawn Shop located on Morgan Avenue in Evansville. The individual who purchased the firearm identified himself as Sackers and provided an Indiana identification card to verify his identity to Casey's. However, the photograph on the ID card provided to Casey's was of DEVAULT not Sackers, thus DEVAULT must have acquired an ID card using Sackers' personal information.

On May 2, 2003, DEVAULT was interviewed by the ATF and he admitted that he used a false identification to purchase the firearm from Casey's on October 11, 2002.

On May 9, 2002, DEVAULT was charged by information in the Vanderburgh Superior Court with three felony counts relating to the possession of methamphetamine. Because these charges were pending against him on October 11, he was prohibited from receiving a firearm at that time. DEVAULT answered "no" to the question relating to whether he was under indictment or information for a felony on the form 4473 he prepared for Casey's. DEVAULT appeared in Court for an initial appearance on the Vanderburgh County charges on May 10, 2002, and was on bond at the time he purchased the firearm.

According to Assistant United States Attorney Todd S. Shellenbarger, who prosecuted

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the case for the government, Judge Young also imposed two years supervised release following DEVAULT's imprisonment. During the period of supervised release, DEVAULT must submit to drug testing.

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